



Notice of Allowability	Application No.	Applicant(s)	
	09/732,978	CRUMB, ALAN C.	
	Examiner	Art Unit	
	Matsuichiro Shimizu	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/2/04.
2. ☒ The allowed claim(s) is/are 1,2 and 4-16.
3. ☒ The drawings filed on 12/07/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Response to Amendment

The examiner acknowledges amended claims 1, 4 and 11.

The examiner withdraws the objection to claims 1, 4 and 11 in view of new currently amended claims provided by the applicant filed on 5/26/04.

Allowable Subject Matter

Regarding claims 1-2 and 4-8, the prior arts fail to teach or fairly suggest a master-control unit and a remote-control unit capable of radio transmission therebetween for use with the pool or spa; said remote-control unit including a first pulse position modulated transceiver associated therewith; said master-control unit including a second pulse position modulated transceiver associated therewith; and said remote-control unit having a display that enables a user to ascertain the status of at least one operating parameter of the pool or spa, whereby said remote-control unit and said master-control both include means for both controlling necessary operating functions and obtaining status information regarding operating parameters.

Regarding claim 9-10, the prior arts fail to teach or fairly suggest a remote-control unit including a display and a keypad; a first transceiver connected said remote control unit; a master-control unit attached to a pool or spa; and a second transceiver connected to said master control unit; wherein said first transceiver sends command signals to said second transceiver and said first transceiver receives status signals from said second transceiver; and wherein the command signals and the status signals are pulse position modulated radio waves that travel through air between said first and second transceivers, wherein said remote-control unit and said master-control unit

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both include means for both controlling necessary operating functions and obtaining status information regarding operating parameters.

Regarding claims 11-16, the prior arts fail to teach or fairly suggest transmitting from a remote-control unit to the master-control unit at least one pulse position modulated radio-wave signal command concerning an operating function of the pool or spa; sending from the remote control unit to the master-control unit at least one pulse position modulated radio-wave signal requesting that status information concerning operating parameters of the pool spa be sent from the master-control unit to the remote-control unit; and reading status information displayed by the remote-control unit and received from the master-control unit in response to the request signal of said sending step.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matsuichiro Shimizu whose telephone number is 571-272-3066. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-8576).

Matsuichiro Shimizu

January 7, 2005



MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

